

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

VICTORIA WINN and THADDEAUS WINN,  
individually and as parents and natural  
guardians of their minor child, RAFE WINN,

Plaintiffs,

vs.

No. 2:14-CV-01113-JAP-SMV

CARLSBAD MEDICAL CENTER LLC, ON-  
LINE RADIOLOGY MEDICAL GROUP INC.,  
and PECOS VALLEY OF NEW MEXICO,  
LLC

Defendants.

**THIRD AMENDED COMPLAINT FOR MEDICAL NEGLIGENCE,  
RESPONDEAT SUPERIOR, PERSONAL INJURIES AND  
VIOLATIONS OF UNFAIR PRACTICES ACT**

COME NOW the Plaintiffs, Victoria Winn and Thaddeaus Winn, individually and as parents and natural guardians of their minor child, Rafe Winn, by and through their attorney of record, Will Ferguson & Associates (Robert C. Gutierrez) and pursuant to the Federal Rules of Civil Procedure, hereby state for their third amended complaint the following:

1. Plaintiffs hereby amend by Interlineation paragraph #8 of their *SECOND AMENDED COMPLAINT FOR MEDICAL NEGLIGENCE, RESPONDEAT SUPERIOR, PERSONAL INJURIES AND VIOLATIONS OF UNFAIR PRACTICES ACT* (doc#26) to add the following sentence at the end of paragraph #8: “ Based upon Defendant *PECOS VALLEY OF NEW MEXICO LLC’S STIPULATION OF CITIZENSHIP OF ALL ITS MEMBERS* (doc#47), Plaintiffs affirmatively allege that ALL Members of the Defendant Pecos Valley of New Mexico LLC were NOT citizens of the state of New Mexico at the time Plaintiffs filed their Second Amended Complaint For Medical

Negligence on April 17, 2015 (doc#26)".

2. Plaintiffs make no other changes or additions to their Second Amended Complaint ( doc#26), but re-allege and incorporate herein as though set forth their entire *SECOND AMENDED COMPLAINT FOR MEDICAL NEGLIGENCE, RESPONDEAT SUPERIOR, PERSONAL INJURIES AND VIOLATIONS OF UNFAIR PRACTICES ACT* (doc#26).

Respectfully submitted;

WILL FERGUSON & ASSOCIATES

/s/Robert C. Gutierrez  
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